

NEW YORK  
LONDON  
SINGAPORE  
PHILADELPHIA  
CHICAGO  
WASHINGTON, DC  
SAN FRANCISCO  
SILICON VALLEY  
SAN DIEGO  
LOS ANGELES  
BOSTON  
HOUSTON  
DALLAS  
AUSTIN  
HANOI  
HO CHI MINH CITY

# DuaneMorris®

*FIRM and AFFILIATE OFFICES*

ANDREW L. FISH  
DIRECT DIAL: +1 212 404 8761  
PERSONAL FAX: +1 212 818 9606  
E-MAIL: ALFish@duanemorris.com

[www.duanemorris.com](http://www.duanemorris.com)

SHANGHAI  
ATLANTA  
BALTIMORE  
WILMINGTON  
MIAMI  
BOCA RATON  
PITTSBURGH  
NEWARK  
LAS VEGAS  
CHERRY HILL  
LAKE TAHOE  
MYANMAR

ALLIANCES IN MEXICO  
AND SRI LANKA

July 28, 2021

VIA ECF

The Honorable Ronnie Abrams  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2203  
New York, NY 10007

**Re:** Cohen & Company Financial Management, LLC v. Alesco Preferred Funding IX, LTD., No. 1:21-cv-02039-RA

Dear Judge Abrams:

The parties write to advise the Court that they have reached an agreement in principle to resolve this dispute and to request that the proceedings (including all current deadlines) be stayed while settlement documents are prepared and finalized.

Currently, the defendant's response to the amended complaint and the parties' joint letter and proposed scheduling order are due on August 2, 2021, and the initial pretrial conference is scheduled for August 13, 2021. The parties request that the deadlines be stayed and the conference adjourned, and that the Court set a control date for approximately 30 days for the parties to report on the status of settlement finalization in the event the matter has not yet been voluntarily dismissed. Granting this relief will conserve the resources of the parties and the Court and facilitate the resolution of this dispute.

No prior request for this relief has been made. This Court previously granted the parties' joint requests for two extensions of time for the defendant to respond to the amended complaint (from June 18, 2021 to July 2, 2021, and from July 2, 2021 to August 2, 2021). In addition, this Court previously granted defendant a 30-day extension of time from March 31, 2021, to April 30, 2021, to respond to the original complaint.

Application granted. The parties shall update the Court on the status of settlement negotiations by no later than August 30, 2021.

SO ORDERED.



Hon. Ronnie Abrams  
July 29, 2021

The Honorable Ronnie Abrams  
July 28, 2021  
Page 2

**Duane Morris**

Respectfully submitted,

/s/  
Andrew L. Fish

cc: All counsel (via ecf)